IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 1ST OCTOBER 2007 / 9TH ASWINA 1929

WP(C).No. 21135 of 2006(N)

PETITIONER:

SATHYANATHAN.P.P., PART TIME SWEEPER,
GOVERNMENT AYURVEDA COLLEGE, PARIYARAM,
KANNUR DIST.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT, DEPARTMENT OF HEALTH,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF AYURVEDA MEDICAL
EDUCATION, DIRECTORATE OF AYURVEDA MEDICAL
EDUCATION, AROGYA BHAVAN, THIRUVANANTHAPURAM.

3. THE DIRECTOR, INDIAN SYSTEM OF MEDICINE,
THIRUVANANTHAPURAM.

4. THE PRINCIPAL, GOVERNMENT AYURVEDA
COLLEGE, PARIYARAM, KANNUR DIST.

BY GOVERNMENT PLEADER SMT. N.SUDHADEVI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/10/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 21135/2006 N

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE LETTER DT. 17/2/2005.

EXT.P2. COPY OF THE ORDER DT. 19/04/2005.

EXT.P3. COPY OF THE ORDER DT. 25/7/2006.

EXT.P4. COPY OF THE DISABILITY CERTIFICATE DT. 4/11/2000 BY THE HEALTH SERVICES DEPARTMENT.

EXT.P5. COPY OF THE REPRESENTATION DT. 9/8/06 BY THE PETITIONER BEFORE THE R1.

RESPONDENT'S EXHIBITS **NIL.**

True copy

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V. GIRI ,J.

WP(C).NO.21135 of 2006

Dated this the Ist day of October, 2007

JUDGMENT

The petitioner is working as a Part-time Sweeper in the Government Ayurveda College. He was engaged on daily wages originally under Ext.P2 order. He has continued thereafter from time to time as evidenced by Ext.P3. Regular recruitment to the post of Part-time sweeper in the Government Ayurveda College has not taken place so far. It has to be done after calling for the candidates from the Employment Exchange. Appointment will have to be done by the third respondent, the Director of Indian Systems of Medicine. The petitioner continues in service on the strength of the interim order which was originally passed on 9.8.2006.

2. I have heard the learned Government Pleader also. Petitioner would also be eligible to be considered for regular appointment as a Part-time sweeper. The procedure for regular appointment may be completed by the third respondent within a period of three months from the date of receipt of a copy of this judgment. If the petitioner is otherwise eligible, he may also be considered for regular appointment. Since the petitioner was originally engaged as a Part-time Sweeper on daily wages on 19.4.2005 and has been continuing thereafter, inter alia on the strength of the interim order issued by this Court on 9.8.2006, he will continue to be engaged on casual basis till the process for regular recruitment of a Part-time Sweeper is completed in the

manner as aforementioned. It is made clear that the continuance of the petitioner as a Part-time Sweeper on a casual basis on the strength of the interim order passed by this Court shall not by itself, confer any benefit on the petitioner. I am not expressing any opinion on the merits of the contentions raised by the petitioner.

The writ petition is disposed of as above.

V. GIRI, JUDGE

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